



Atty. Docket No.: 9236/2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Peter H. Kay  
Serial No.: 10/617,060  
Filed: July 10, 2003  
Entitled: USE OF FLUORESCENT  
MOLECULAR BEACONS IN THE  
DETECTION OF METHYLATED  
NUCLEIC ACIDS

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Conf. No.: Not Yet Assigned

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Brenda M. Woods

Name of Person Mailing Paper

Signature of Person Mailing Paper

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449; and
3. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 9236/2004. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: September 3, 2003

Name: Barbara A. Gyule  
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111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100



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**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.56, 1.97 AND 1.98**

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56, Applicant submits this Information Disclosure Statement pursuant to 37 CFR §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office.

Copies of each of the cited documents were submitted to the U.S. Patent and Trademark Office in the parent application, U.S. Serial No. 09/920,000. Pursuant to CFR § 1.97(b)(3), because this Statement is being submitted before the first Office Action on the merits, no fee is required.

Applicant does not intend to represent that any of the documents submitted herein are material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicant respectfully requests that the documents submitted herein be considered and made of record in this application.

Date:

*September 3, 2003*

Respectfully submitted,

*Barbara A. Gylre*

Name: Barbara A. Gylre  
Registration No.: 34,614  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100



U.S. Department of Commerce Patent and Trademark Office <b>INFORMATION DISCLOSURE STATEMENT</b>				Attorney Docket No. 9236/2004		Serial No. 10/617,060		
				Applicant(s): Peter H. Kay				
				Filing Date: July 10, 2003		Group: Not Yet Assigned		
<b>U.S. PATENT DOCUMENTS</b>								
Examiner Initial		Patent No.	Date	Name	Class	Subclass	Filing Date (if appropriate)	
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initial		Document No.	Publication Date	Country	Class	Subclass	Translation	
							YES	NO
	1.	WO 9826093	18 June 1998	PCT	C12Q	1/68	X	
<b>OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)</b>								
	2.	Tyagi, et al., "Molecular Beacons: Probes that Fluoresce upon Hybridization"; <u>Nature Biotechnology</u> ; (1996); 14(3):303-308.						
	3.	Millar, et al.; "Detailed methylation analysis of the glutathione S-transferase $\pi$ (GSTPI) gene in prostate cancer"; <u>Oncogene</u> ; (1999); 18:1313-1324.						
	4.	Agrawal, et al.; "Site specific functionalization of oligonucleotides for attaching two different reporter groups" <u>Nucleic Acids Research</u> ; (1990); 18:5419-5423..						
	5.	Ozaki, et al.; "The estimation of distances between specific backbone-labeled sites in DNA using fluorescence resonance energy transfer"; <u>Nucleic Acids Research</u> ; (1992); 20:5205-5214.						
	6.	International Search Report for PCT/AU00/00053 mailed 14 March 2000.						
EXAMINER					DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.								
**Copies of references not provided at the time of this submission.								